

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

MAR 29 2018

DEED OF TRUST INFORMATION:

Date: 07/20/2012
Grantor(s): DONNA D. CLARK AND HUSBAND, ALLEN W. CLARK
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. COUNTY CLERK ANDERSON COUNTY TEXAS BY MARK STAPLES AS NOMINEE AND DEBRA L. STAPLES Deputy
 FOR CENDERA FUNDING, INC., A TEXAS CORPORATION, ITS SUCCESSORS AND ASSIGNS

Original Principal: \$107,516.00
Recording Information: Book 2304 Page 0383 Instrument 201204685
Property County: Anderson
Property:

METES & BOUNDS DESCRIPTION OF 1.620 ACRES OF LAND:

BEING 1.620 ACRES OF LAND SITUATED IN THE JOSEPH FERGUSON SURVEY A-23, LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF FRANKSTON, ANDERSON COUNTY, TEXAS, BEING ALL OF THAT CALLED 0.50 ACRE TRACT CONVEYED TO JOHN T. RIGGLE, ET UX, IN VOLUME 1211, PAGE 887 OF THE OFFICIAL PUBLIC RECORDS OF ANDERSON COUNTY, TEXAS, AND ALL OF THAT 0.50 ACRE TRACT CALLED TRACT ONE AND PART OF THAT 0.70 ACRE TRACT CALLED TRACT TWO BOTH CONVEYED TO JOHN T. RIGGLE, ET UX, IN VOLUME 1241, PAGE 683 OF THE OFFICIAL PUBLIC RECORDS OF ANDERSON COUNTY, TEXAS, SAID 1.620 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS:
 BEGINNING: AT A 1/2" IRON ROD FOUND NEAR A FENCE CORNER FOR THE NORTH CORNER OF THE ABOVE MENTIONED TRACT ONE, SAME BEING THE NORTHWEST CORNER OF A CALLED 1.17 ACRE TRACT CONVEYED TO CHARLIE CAIN, ET UX, IN VOLUME 1693, PAGE 793;

THENCE: SOUTH 21 DEGREES 54'55" EAST WITH THE WEST LINE OF SAID CAIN'S TRACT, A DISTANCE OF 276.05 FEET TO A POINT FOR CORNER ON A 49.95 FOOT RADIUS CUL-DE-SAC AT THE END OF RIDGE ROAD, FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID CAIN'S TRACT AT THE BEGINNING OF SAID CUL-DE-SAC, BEARS SOUTH 21 DEGREES 54'55" EAST 21.16 FEET;

THENCE: WITH SAID CUL-DE-SAC CURVING TO THE LEFT, AT A ARC DISTANCE OF 120.28 FEET PASS A 1/2" IRON ROD FOUND FOR THE SOUTHERLY CORNER OF SAID TRACT ONE, CONTINUING IN ALL A TOTAL ARC DISTANCE OF 261.86 FEET TO A 1/2" IRON ROD FOUND FOR THE END OF THE CUL-DE-SAC, SAID END POINT BEING IN THE SOUTH LINE OF THE 30 FOOT WIDE RIDGE ROAD, SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 300 DEGREES 23'42", AND A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 20'23" EAST A DISTANCE OF 49.65 FEET;

THENCE: SOUTH 82 DEGREES 03'45" EAST, WITH THE SOUTH RIGHT-OF-WAY LINE OF RIDGE ROAD, A DISTANCE OF 12.11 FEET TO A 1/2" IRON ROD FOUND FOR THE MOST EASTERLY CORNER OF THE ABOVE MENTIONED RIGGLE'S 0.50 ACRE TRACT IN VOLUME 1211, PAGE 887, SAME BEING THE NORTHWEST CORNER OF A CALLED 0.58 ACRE TRACT CONVEYED TO MICKYE BRISTOW IN VOLUME 1094, PAGE 896;

THENCE: SOUTH 49 DEGREES 42'35" WEST, WITH THE WEST LINE OF BRISTOW'S TRACT, A DISTANCE OF 159.42 FEET TO A 4" STEEL FENCE CORNER POST FOR THE SOUTHWEST CORNER OF SAME, ALSO BEING THE SOUTHERLY SOUTHEAST CORNER RIGGLE'S 0.50 ACRE TRACT IN VOLUME 1211, PAGE 887, SAME BEING THE NORTHEAST CORNER OF THE ABOVE MENTIONED TRACT TWO, AND BEING THE NORTHWEST CORNER OF A CALLED 1.08 ACRE TRACT CONVEYED TO CARL D. STORY, ET UX, IN VOLUME 942, PAGE 574;

THENCE: SOUTH 12 DEGREES 40'10" WEST, WITH THE WEST LINE OF STORY'S TRACT, A DISTANCE OF 202.30 FEET TO A 5/8" IRON ROD FOUND WITH TXDOT CAP IN THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 175 FOR THE NORTHWEST CORNER OF A CALLED 0.002 ACRE TRACT CONVEYED TO THE STATE OF TEXAS IN VOLUME 2041, PAGE 311, SAME BEING THE NORTHEAST CORNER OF A PARCEL NO. 148 AS SHOWN ON SHEET 56 OF ROW C.S.J. 0198-03-029 OF THE TXDOT RIGHT-OF-WAY STRIP MAPS FOR US HIGHWAY NO. 175, FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE ABOVE MENTIONED 0.70 ACRE TRACT CALLED TRACT TWO, AND BEING THE SOUTHWEST CORNER OF THE 0.002 ACRE TRACT BEARS SOUTH 11 DEGREES 33'10" WEST A DISTANCE OF 6.43 FEET;

THENCE: NORTH 59 DEGREES 00'43" WEST, WITH THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 175, A DISTANCE OF 96.75 FEET TO A TYPE II TXDOT RIGHT-OF-WAY MONUMENT FOUND FOR AN ANGLE BREAK IN SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE;

THENCE: NORTH 82 DEGREES 12'34" WEST, CONTINUING WITH THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 175, A DISTANCE OF 62.22 FEET TO A 5/8" IRON ROD FOUND WITH TXDOT CAP FOR THE NORTHWEST CORNER OF PARCEL NO. 148, FROM WHICH A 1 1/2" ANGLE IRON FOUND FOR THE SOUTHWEST CORNER OF THE 0.70 ACRE TRACT CALLED TRACT TWO BEARS SOUTH 22 DEGREES 43'20" WEST A DISTANCE OF 10.47 FEET;

THENCE: NORTH 19 DEGREES 07'08" EAST A DISTANCE OF 192.02 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE ABOVE MENTIONED TRACT TWO, SAME BEING THE SOUTHWEST CORNER OF RIGGLE'S 0.50 ACRE

TRACT IN VOLUME 1211, PAGE 887;
THENCE: NORTH 19DEGREES 19'54" EAST A DISTANCE OF 175.18 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF RIGGLE'S 0.50 ACRE TRACT IN VOLUME 1211, PAGE 887, AND BEING THE SOUTHWEST CORNER OF THE ABOVE MENTIONED TRACT ONE;
THENCE: NORTH 19DEGREES 16'16" EAST A DISTANCE OF 214.79 FEET TO THE POINT OF BEGINNING CONTAINING 1.620 ACRES OF LAND.
TRACT TWO

BEING 0.057 ACRE OF LAND SITUATED IN THE JOSEPH FERGUSON SURVEY A-23, LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF FRANKSTON, ANDERSON COUNTY, TEXAS, BEING PART OF A THAT 0.70 ACRE TRACT CALLED TRACT TWO CONVEYED TO JOHN T. RIGGLE, ET UX, IN VOLUME 1241, PAGE 683 OF THE OFFICIAL PUBLIC RECORDS OF ANDERSON COUNTY, TEXAS, SAID 0.057 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS:
BEGINNING: AT A 1/2" IRON ROD FOUND IN THE EXISTING NORTH RIGHT-OF-WAY LINE OF US HIGHWAY NO. 175 FOR THE SOUTHEAST CORNER OF SAID 0.70 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF A 0.002 ACRE TRACT CONVEYED TO THE STATE OF TEXAS IN VOLUME 2041, PAGE 311;
THENCE: NORTH 69DEGREES 34'07" WEST WITH THE EXISTING NORTH RIGHT-OF-WAY LINE OF US HIGHWAY NO. 175, A DISTANCE OF 157.24 FEET TO A 1 1/2" ANGLE IRON FOUND FOR THE SOUTHWEST CORNER OF SAID 0.70 ACRE TRACT;
THENCE: NORTH 22DEGREES 43'20" EAST, WITH THE WEST LINE OF SAID 0.70 ACRE TRACT, A DISTANCE OF 10.47 FEET TO A 5/8" IRON ROD FOUND WITH TXDOT CAP IN THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 175, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 0.70 ACRE TRACT BEARS NORTH 19DEGREES 07'08" EAST A DISTANCE OF 192.02 FEET.
THENCE: SOUTH 82DEGREES 12'34" EAST, WITH THE PROPOSED NORTHERLY RIGHT-OF-WAY OF US HIGHWAY NO. 175, A DISTANCE OF 62.22 FEET TO A TYPE II TXDOT RIGHT-OF-WAY MONUMENT FOUND FOR AN ANGLE BREAK IN SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE;
THENCE: 59DEGREES 00'43" EAST CONTINUING ALONG THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 96.75 FEET TO A 5/8" IRON ROD FOUND WITH TXDOT CAP FOR THE NORTHWEST CORNER OF SAID 0.002 ACRE TRACT, FROM WHICH A 4" STEEL FENCE CORNER POST FOUND FOR THE NORTHEAST CORNER OF SAID 0.70 ACRE TRACT BEARS NORTH 12DEGREES 40'10" EAST A DISTANCE OF 202.30 FEET;
THENCE: SOUTH 11DEGREES 33'10" WEST, WITH THE WEST LINE OF SAID 0.002 ACRE TRACT A DISTANCE OF 6.43 FEET TO THE POINT OF BEGINNING CONTAINING 0.057 ACRES OF LAND, BEING THE SAME TRACT KNOWN AS PARCEL NO. 148 AS SHOWN ON SHEET 56 OF ROW C.S.J. 0198-03-029 OF THE TXDOT RIGH-OF-WAY STRIP MAPS FOR US HIGHWAY NO. 175.

Reported Address: 106 RIDGE ROAD, FRANKSTON, TX 75763

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Wells Fargo Bank, NA

Mortgage Servicer: Wells Fargo Bank, N. A.

Current Beneficiary: Wells Fargo Bank, NA

Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 5th day of June, 2018

Time of Sale: 10:00AM or within three hours thereafter.

Place of Sale: AT THE STEPS ON THE EAST SIDE OF THE COURTHOUSE in Anderson County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Anderson County Commissioner's Court.

Substitute Trustee(s): Patrick Zwiers, Kristopher Holub, Darla Boettcher, Shawn Schiller, Lori Garner, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Allan Johnston, Ronnie Hubbard, Jon Howell, Susan Swindle, Bobby Howell, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Patrick Zwiers, Kristopher Holub, Darla Boettcher, Shawn Schiller, Lori Garner, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Allan Johnston, Ronnie Hubbard, Jon Howell, Susan Swindle, Bobby Howell, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Patrick Zwiers, Kristopher Holub, Darla Boettcher, Shawn Schiller, Lori Garner, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Allan Johnston, Ronnie Hubbard, Jon Howell, Susan Swindle, Bobby Howell, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Bonial & Associates, P.C.

